

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION

LEAVITT GREAT WEST  
INSURANCE SERVICES, LLC, a  
Montana Limited Liability Company,

Plaintiff,

vs.

KRYSTA THERIAULT, an individual,  
and ALLIANT INSURANCE  
SERVICES, INC., a California  
Corporation,

Defendants.

CV 25–24–DLC

ORDER

Before the Court is Defendants’ Motion to Dismiss the First, Second, Third, and Fourth Causes of Action in Plaintiff’s Complaint. (Doc. 10.) Because Plaintiff filed an Amended Complaint on April 15, 2025, (Doc. 18) which appears to add new allegations, the Motion to Dismiss the initial Complaint is now moot. *Ramirez v. County of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015) (an amended complaint supersedes an original complaint, rendering the original complaint without any legal effect); *Frazier v. City of Fresno*, 2023 WL 1786228, at \*1 (E.D. Cal. Feb. 6, 2023) (“Once an amended complaint is filed, the previous complaint becomes null and void, and generally any pending motion to dismiss that was directed at the previous pleading will be thus rendered moot.”).

Accordingly, IT IS ORDERED that Defendants' Motion to Dismiss the First, Second, Third, and Fourth Causes of Action in Plaintiff's initial Complaint (Doc. 10) is DENIED AS MOOT. This Order has no bearing on Defendants' pending Motion to Dismiss the Third and Fourth Causes of Action in Plaintiff's Amended Complaint (Doc. 20), which seeks to narrow this case to the First and Second claims for alleged breach of contract and interference with contractual rights.

DATED this 2nd day of June, 2025.



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Dana L. Christensen, District Judge  
United States District Court